

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

GEORGE AMEIL SCHWINDLING

PETITIONER

V.

CIVIL ACTION NO.: 3:12-CV-642- HTW-LRA

RONALD KING AND STATE OF MISSISSIPPI

RESPONDENTS

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND DISMISSING CASE WITHOUT PREJUDICE**

This matter comes before this court on the respondents' motion to dismiss [docket no. 11], and the Report and Recommendation of United States Magistrate Judge F. Keith Ball [docket no. 18]. The petitioner has failed to file objections to the Report and Recommendation.

Judge Ball, in the Report and Recommendation, recommends that this court dismiss the petitioners lawsuit without prejudice for failure to exhaust state remedies. Judge Ball's Report and Recommendation clearly notified the parties in this case that failure to file written objections to the findings and recommendations contained therein within fourteen (14) days from the date of filing would bar further appeal in accordance with Title 28 U.S.C. § 636. This court, finding that none of the parties has submitted written objections, hereby adopts said Report and Recommendation as the order of this court.

IT IS THEREFORE ORDERED that this case is dismissed without prejudice for the reasons set out in the Report and Recommendation of the United States Magistrate Judge.

SO ORDERED AND ADJUDGED, this the 29th day of July, 2013.

**/s/ Henry T. Wingate
UNITED STATES DISTRICT JUDGE**